

**Knobbe Martens Olson & Bear LLP**  
*Intellectual Property Law*

APR 21 2005

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**USPTO FACSIMILE TRANSMITTAL SHEET**

Page 1 of 2

Docket No.: IRDM.025CCD/IDC-0003C1C1D1

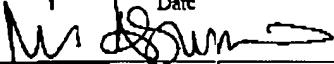
**CUSTOMER NO. 20995**

Applicant : Mark W. Miles  
 App. No. : 10/082,397  
 Filed : August 6, 2002  
 For : VISIBLE SPECTRUM MODULATOR ARRAYS  
 Examiner : Mai, Huy K.  
 Group Art Unit : 2873

**CERTIFICATE OF FAX TRANSMISSION**

I hereby certify that this correspondence and all marked attachments are being transmitted via facsimile to the USPTO Central Fax No. (703) 872-9306 on the date shown below:

April 21, 2005

  
 Mark M. Abumeri, Reg. No. 43,458

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

1. Request for Reconsideration of Decision Dismissing Petition (2 pp);
2. Request for Continued Examination (2 pp);
3. Supplemental Amendment (4 pp).

**FILING FEES:**

FEE CALCULATION					
FEE TYPE		FEE CODE	CALCULATION		TOTAL
RCE Fee		2801 (\$395)			\$395
Suspension of Action		1463 (\$130)			\$0
Total Claims Previously Paid	20 - 20 = 0	2202 (\$25)	0 x 25 =		\$0
Independent Claims Previously Paid	2 - 3 = 0	2201 (\$100)	0 x 100 =		\$0
Multiple Claim		2203 (\$180)			\$0
1 Month Extension		2251 (\$60)			\$60
2 Month Extension		2252 (\$225)			\$0
3 Month Extension		2253 (\$510)			\$0
			<b>TOTAL FEE DUE</b>		<b>\$ 455.00</b>

Orange County

619.734.1104

San Francisco

415.554.4114

Los Angeles

210.441.9450

Riverside

951.781.0941

San Luis Obispo

805.547.5550

Kuehne Martens Mason & Bear LLP

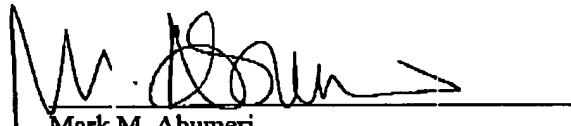
Application No.: 10/082,397  
Filing Date: August 6, 2002

**CUSTOMER NO. 20995**

(X) Please charge the total fees due in the amount of \$455.00 to Deposit Account No. 11-1410.

(X) Total pages in transmission: 10

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.



Mark M. Abumeri  
Registration No. 43,458  
Attorney of Record  
Customer No. 20,995  
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FAXTRANS  
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IRDM.025CCD/IDC-0003C1C1D1

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

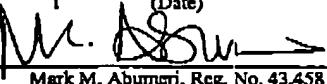
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April 21, 2005

(Date)



Mark M. Abumori, Reg. No. 43,458

REQUEST FOR RECONSIDERATION OF DECISION DISMISSING PETITION

Mail Stop Office of Petitions  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

This Request for Reconsideration is in response to the Decision Dismissing Petition (the "Decision"), mailed on March 17, 2005. For the reasons discussed below, the Applicant respectfully requests that the filing date of the above-identified application be restored to its original date of February 25, 2002.

On November 18, 2004, Applicant filed a Petition under 37 C.F.R. 1.182 requesting withdrawal of Applicant's previously submitted Response to Notice of Omitted Items (mailed July 31, 2002) and restoration of Applicant's original filing date of February 25, 2002. Although Applicant's Petition was dismissed, the Decision stated that Applicant "may obtain favorable relief, upon request for reconsideration, if [Applicant] submits a Request for Continued Examination (RCE) under the provisions of 37 C.F.R. 1.114, along with an amendment deleting any reference to Figure 23E in the specification, and any other reply needed to continue prosecution." *Decision Dismissing Petition at page 2*. The Decision further noted that no further petition fee would be required. *Id.*

Appl. No. : 10/082,397  
Filed : August 6, 2002

In accordance with the Director's requirements in the Decision, the Applicant submits herewith an RCE, along with an Amendment deleting any reference to Figure 23E in the specification. In addition, the Applicant has requested in the RCE consideration of Applicant's Amendment, which was previously submitted on November 8, 2004, but remains unentered.

Since Applicant has complied with all of the Director's requirements as set out in the Decision, Applicant respectfully requests granting Applicant's Petition and, particularly, restoration of the original filing date of February 25, 2002.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 21, 2005

By: M. Abumeri  
Mark M. Abumeri  
Registration No. 43,458  
Customer No. 20,995  
(619) 235-8550

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